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UNCLAS SECTION 01 OF 07 NICOSIA 000124

SENSITIVE  
SIPDIS

DEPARTMENT FOR G/TIP, G-ACBLANK, INL, DRL, PRM, EUR/SE AND  
EUR/PGI, STATE PLEASE PASS TO USAID

E.O. 12958: N/A

TAGS: [KCRM](#) [KFRD](#) [KWMN](#) [ELAB](#) [PGOV](#) [PHUM](#) [PREF](#)

SUBJECT: TURKISH CYPRIOT-ADMINISTERED AREA -- NINTH ANNUAL  
TRAFFICKING IN PERSONS (TIP) REPORT SUBMISSION

REF: SECSTATE 132759

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¶1. (U) Paras 3-6 are sensitive but unclassified --not for  
internet distribution.

¶2. (U) Embassy Nicosia hereby submits information for the  
April 2008 - February 2009 Trafficking in Persons (TIP)  
Report. Embassy point of contact is John Rhatigan, Political  
Section, Tel: (357) 22-39-3-364, Fax: (357) 22-39- 3467.  
Approximately 40 hours (FSO-04) and 80 hours (FSN-10) were  
spent in preparing this material.

¶3. (SBU) Answers in this para are keyed to the questions in  
ref tel, para 23, "The Country's TIP Situation."

¶A. Sources of information include the Turkish Cypriot  
"government," local and international NGOs and the media.  
The Embassy has long-standing relationships with these  
sources and considers them reliable.

¶B. The area administered by Turkish Cypriots is a destination  
for women who are trafficked to work in the sex industry.  
Internal trafficking does not occur but there have been  
reported instances of victims being trafficked from the area  
administered by the Turkish Cypriots to the  
government-controlled area. Turkish Cypriot authorities  
believe the area under their control is a transit point for  
people wishing to enter the EU illegally. The scope of the  
trafficking problem is not clear, as the authorities do not  
recognize trafficking victims as such and do not keep  
statistics. There have been no reported changes in the TIP

situation since the last TIP report.

1C. The vast majority of victims come to work in nightclubs or pubs, although authorities have also indicated that a significant number of Turkish women, who enter the area administered by Turkish Cypriots either on three-month tourist "visas" or on student "visas," work as prostitutes out of apartments in the cities of Nicosia, Kyrenia and Famagusta. Women trafficked for purposes of commercial sex do not change location once they have signed contracts with particular nightclubs in the north. A nightclub may employ up to 12 women, but pubs, following a 2007 amendment to the nightclubs "law," can employ a maximum of three.

1D. The majority of trafficking victims are women from Eastern Europe. According to the "immigration police" most of the women working in nightclubs and pubs during the reporting period came from Moldova (approximately 75 percent) and Ukraine (around 10 percent), as well as smaller numbers from Kyrgyzstan, Georgia, Belarus, Uzbekistan, Tajikistan, the Philippines, Kenya, Romania, and Nigeria. There was a significant drop in the number of Russian women working in nightclubs and pubs.

1E. As noted above, the vast majority of victims come to work in nightclubs using the "artiste"-category work permit. Victims generally entered the area administered by Turkish Cypriots via Turkey, the only country with direct commercial air links to the area. These women may be subject to violence, threats, excessive working hours and inadequate pay, and may be forced to perform sexual acts for clients and employers. Turkish Cypriot authorities say that they do not know precisely who is behind this trafficking, since victims

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arrive via Turkey, and they do not know what happens to these foreign women between the time they leave their countries of origin and arrive in the area administered by Turkish Cypriots. The authorities have indicated, however, that men accompanying these women at/through ports of entry are often Turkish. NGO representatives believe that organized crime is behind the ownership and management of some of the nightclubs in the area administered by Turkish Cypriots. The local press reported the claims of an independent researcher who had interviewed "artistes" at nightclubs that these women come to Cyprus with the assistance of employment agencies supposedly seeking models, baby-sitters, or caretakers for the elderly. There were no reported cases of false documents being used for trafficking purposes during the reporting period.

14. (SBU) Answers in this para are keyed to the questions in reftel, para 24, "Setting the Scene for the Government's anti-TIP Efforts."

1A. Turkish Cypriot authorities acknowledge that trafficking is a problem on the island and are showing an increased political will to deal with the problem. Authorities are gradually becoming more educated about trafficking compared to previous years.

1B. A "Nightclub Commission," comprised of police, "Ministry of Labor," and "Ministry of Health" personnel, regulates these establishments. The "Ministry of Interior" serves as "interagency" coordinator in all issues concerning nightclubs. It meets once a month to discuss issues related to nightclubs/pubs and their employees. The "Commission" makes recommendations to the "Ministry of Interior" on the granting of operating licenses, on changes to employee quotas, and on the need to intervene in any problems arising at a particular establishment. In addition, other "government officials," including the "Minister of Interior" and members of the "police," have attended and/or taken part in anti-TIP events in the past (see para 5F).

1C. There are a number of limitations on the "government's"

ability to address trafficking. No anti-trafficking legislation has yet been enacted and Turkish Cypriot authorities are not party to any international agreements due to the unrecognized status of the "Turkish Republic of Northern Cyprus -- TRNC." Likewise, no international NGOs have offices in the area administered by Turkish Cypriots. The authorities have signed no cooperative agreements with source countries, and would almost certainly be unable to do so due to recognition issues. Anti-trafficking efforts are also limited by the fact that the "government" has not made any funding available for such purposes, though it likely could do so if it wanted to. Overall corruption related to TIP does not appear to be a problem.

¶D. There is no mechanism in place for the "government" to monitor its anti-trafficking efforts. All statistics gathered regarding trafficking are collateral: the "Ministry of Interior" tracks the number of work permits issued to nightclubs and pubs; "immigration police" track entries/exits and repatriations to/from the area administered by Turkish Cypriots; the "Ministry of Health" keeps statistics on the required, weekly health checks for nightclub workers; and the "police" keep statistics on arrests related to prostitution,

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in the absence of anti-trafficking "legislation." Information and statistics are readily available from the Turkish Cypriot authorities upon request, although there was no regular public disclosure.

¶5. (SBU) Answers in this para are keyed to the questions in reftel, para 25, "Investigation and Prosecution of Traffickers."

¶A. The area administered by Turkish Cypriots does not have a "law" that specifically prohibits trafficking in persons, and no new trafficking "legislation" has been enacted since the last TIP report. However, a draft anti-TIP "law" was prepared during the reporting period and sent to the "parliament." It is currently with the "legal and political affairs committee" but has not yet been discussed. It will not be acted on before the upcoming "parliamentary" elections (19 April 2009), as the "parliament" is required to cease "law-making" activities 60 days before any election. Therefore, the draft "law" will need to wait for the new "government" to be formed after the elections before it can be taken up. In 2008, as in previous years, trafficking-related cases were tried pursuant to the "Criminal Code of the TRNC" concerning (1) living off the earnings of prostitution or off the earnings of the provision of prostitutes and/or (2) encouraging prostitution. This "law" also prohibits (3) abduction and (4) forced labor. Currently, the "Nightclubs and Similar Places of Entertainment Law" of 2000 provides the most relevant legal framework vis-a-vis trafficking. Under this "law," foreign women are not allowed to live on-site at their place of employment, but instead live together as a group in a dormitory, which is usually adjacent to the nightclub or pub, or at another accommodation arranged by the establishment owner. In order to prevent establishment owners from taking their employees' passports, thereby further restricting their freedom of movement, Turkish Cypriot immigration police hold the travel documents for the duration of their stay. (Note: The police fall under the "Prime Ministry," but they are ultimately under the operational command of the Turkish military, per transitional Article 10 of the "TRNC constitution," which "temporarily" cedes responsibility for public security and defense from Turkish Cypriot civilian authorities to Turkey).

¶B. The area administered by Turkish Cypriots does not have a "law" that specifically prohibits trafficking in persons; however, persons convicted of living off the earnings of prostitution or off the earnings of the provision of prostitutes, or of encouraging prostitution, may receive up to two years imprisonment and/or a fine of YTL 1,000 (USD).

Persons convicted of abduction may receive up to a seven-year prison sentence. There is no minimum penalty in the Turkish Cypriot "legal system."

¶C. Persons convicted of forced labor may receive up to one year imprisonment. As noted above, persons convicted of abduction may receive up to seven years imprisonment. There are no "laws" that punish those who confiscate workers' passports or travel documents for the purpose of trafficking, switch contracts, or withhold payment of salaries in order to keep workers in a state of service. In the reporting period, there were no reported incidents of labor trafficking offenses.

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¶D. The law prescribes no minimum sentence for individuals convicted of rape, including spousal rape; the maximum sentence is life imprisonment. There are no prescribed penalties for crimes of trafficking.

¶E. The authorities have prosecuted cases against nightclub owners and pimps on prostitution-related charges (see para 5A above); however, no statistics are kept on cases against human trafficking offenders. The area administered by the Turkish Cypriots is not considered a labor source or destination "country."

¶F. The "government" does not provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking. Although no training took place during the rating period, in February 2008 the US Embassy, British High Commission, and NGO the Turkish Cypriot Human Rights Foundation (KTIHV) organized an anti-TIP conference which included discussions on victims services, victim identification and awareness-raising campaigns. Speakers included "Undersecretary to the Minister of Interior" Ali Alnar and "First Lady" Oya Talat.

¶G. Turkish Cypriot authorities cooperate with Turkish authorities on most criminal matters, but trafficking-specific cooperation is often lacking due to the absence of anti-trafficking "legislation" in the area administered by Turkish Cypriots. The Turkish Cypriot authorities have cooperated in the past with the UN police to conduct a raid and rescue a victim; usually, however, Turkish Cypriot authorities are able to cooperate only with Turkey, although they can and have contacted Interpol (via Turkey) on other matters.

¶H. The "TRNC constitution" does not allow the extradition of Turkish Cypriots; Turkish Cypriot authorities have no plans to amend this prohibition. The authorities can, however, extradite citizens from other countries, although they did not receive any requests to do so during the reporting period.

¶I. There is no evidence of involvement in trafficking by "government" authorities, but trafficking can be said to be tolerated due to a lack of anti-trafficking legislation, prosecution, and infrastructure. The "government" has issued public statements for the last year that indicate growing interest in tackling trafficking, however, and there are efforts being made to pass the draft anti-TIP "law."

¶J. No "government officials" were prosecuted for engaging in related crimes during the rating period.

¶K. Prostitution is illegal, as are "living off the earnings of prostitution or off the earnings of the provision of prostitutes" and "encouraging prostitution." Nightclubs are governed by "legislation" and are supposed to provide only entertainment (i.e. dance shows, etc). The "law" states that an "artiste" who commits prostitution may receive up to two years in prison and/or a fine of up to 1000 YTL (approximately \$605). The same penalties apply to those who

"encourage" an "artiste" to engage in prostitution. The authorities have enforced the law and prosecuted cases against nightclub owners, pimps and clients on

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prostitution-related charges.

¶L. N/A

¶M. N/A

¶6. (SBU) Answers in this para are keyed to the questions in reftel, para 26, "Protection and Assistance to the Victims."

¶A. Existing "law" does not provide for protection of victims, and the "government" does not provide protection in practice. There is no formalized witness protection program, but if a woman attains "witness" status in a case against her employer, she would be accommodated in a hotel under police protection until the case is concluded.

¶B. No victim care facilities exist. No specialized care exists for adults, children or male victims. There is no publicly-supported shelter in the area administered by Turkish Cypriots. Historically, Turkish Cypriot authorities were not convinced that there was need for such victim services, including a shelter, because the "police" arrange immediate repatriation for foreign women who wish to leave their employment. Authorities are considering increasing victim protection services and have expressed a desire to do so.

¶C. The "government" provides no legal or psychological services to trafficking victims. The "Ministry of Health" normally operates a "157" helpline, similar to the one operating in Turkey, to provide support to "artistes" seeking help. This helpline is currently out of service, but Turkish Cypriot authorities contend that it will resume service in the near future. When in service, the nurse responsible for answering the "157" calls spoke Russian, Moldovan, English and Turkish. The "Ministry of Health" requires nightclub employees to report to a hospital for weekly health checks in order to prevent the spread of sexually-transmitted diseases. Furthermore, the "Ministry" inspects nightclubs to ensure that these women are not subjected to unsanitary working or living conditions. Turkish Cypriot authorities did not provide funding or other forms of support to foreign or domestic NGOs or international organizations for services to victims.

¶D. The "government" does not provide temporary or permanent residency status for trafficking victims. Trafficking victims are not identified as such. Deportation is the most common form of "rescue" the authorities use for women who complain about their employment at nightclubs and demand help from the police. If the woman does not want to be deported and expresses a desire to seek legal action, the woman attains "witness" status (as noted in para 6A above) and would be accommodated in a hotel under police protection until the case is concluded.

¶E. The "government" does not provide long-term shelter or housing benefits to victims, except if they are witnesses in cases as noted in paras 6A and D above.

¶F. There is no formal system of identification and referral in the area administered by the Turkish Cypriots.

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¶G. Trafficking victims are not formally recognized as such, and there were no trafficking victims identified during the reporting period. If a foreign woman is arrested for



prostitution, the authorities typically deport her the same day. During the reporting period, no victims were referred to care facilities or social service authorities and none were assisted by assistance programs.

¶H. Police took advantage of nightclub and pub inspections to interview the foreign women working there and to ask if they were having any problems. According to police, several nightclubs and pubs are inspected on a weekly basis, and at least one inspection is conducted each month in each establishment.

I: Victims of trafficking enjoy no special rights, and if a victim is arrested for involvement in prostitution, she is usually detained and then deported, usually within 24 hours. However, if the victim is a witness in a case against her trafficker, she will remain on island until the completion of the case.

¶J. The "government" does not generally encourage victims to assist in prosecutions against traffickers, and almost all victims are immediately deported, except (as noted in paras 6A and D above) when a victim decides to pursue legal action and attains "witness" status. A victim with "witness" status would not be entitled find other employment. Victims are not allowed to leave the area administered by Turkish Cypriots pending trial and usually are deported at the end of the trial process. Police claim that an unspecified number of foreign women cooperated and gave statements in the investigations of crimes related to prostitution. Victims have no means to pursue legal action or file civil suits against their bosses/clients/pimps, and there is no victim restitution program.

¶K. Turkish Cypriot authorities do not receive specialized training in recognizing trafficking and providing assistance to victims. The "government" does not provide training and assistance to its "embassies" abroad, and no trafficking victims were assisted by "TRNC embassies" during the reporting period.

¶L. There have been no reports of Turkish Cypriot women who have been repatriated as victims of trafficking and the area administered by the Turkish Cypriots is not considered a source "country."

¶M. There were no international organizations or NGOs that provided services for TIP victims. There are Turkish Cypriot NGOs involved in anti-trafficking efforts, but they have been more involved with awareness raising and research of the problem. The "government's" cooperation with these NGOs has been limited to the conference noted in para 5F and its efforts reaching out to local NGOs for advice on drafting the anti-TIP "legislation" currently "in committee."

¶7. (SBU) Answers in this para are keyed to the questions in reftel, para 27, "Prevention."

¶A. The Turkish Cypriot authorities have not conducted any government-run anti-trafficking information or education campaigns during the reporting period.

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¶B. Turkish Cypriot authorities monitor both air and sea ports of entry and the Green Line (dividing the government-controlled and Turkish-Cypriot administered areas of Cyprus) and maintain basic statistical information; however, they do not monitor immigration and emigration patterns for evidence of trafficking.

¶C. There is no mechanism for coordination and communication between various Turkish Cypriot "agencies," or between the "government" and relevant internal or international entities. There is no working group or task force other than the "Nightclub Commission" noted in para 4B above.

¶D. Turkish Cypriot authorities have not developed a "national" plan of action to address TIP.

¶E. The authorities have taken no measures to reduce the demand for commercial sex acts.

¶F. The authorities have taken no measures during the reporting period to reduce participation in international child sex tourism by Turkish-Cypriot "nationals;" however, international child sex tourism is not a documented issue in Cyprus.

¶G. N/A  
Urbancic